

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL WAYNE RAINS,)	
)	
Petitioner,)	
)	
-vs-)	Case No. CIV-07-1060-F
)	
OKLAHOMA, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

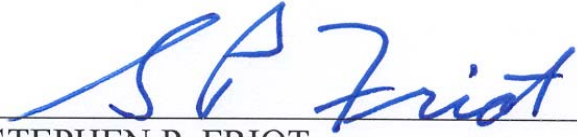
On October 30, 2007, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation, wherein he recommended that petitioner's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody be summarily dismissed on the basis that the petition is time-barred.

Presently before the court is petitioner's timely objection to the Report and Recommendation. Having conducted a de novo review of the matter in accordance with 28 U.S.C. § 636(b)(1), the court concurs with the analysis and recommendation of Magistrate Judge Bacharach. The court also finds petitioner's objection to be without merit. Consequently, the court accepts, adopts, and affirms the Report and Recommendation.

IT IS THEREFORE ORDERED that the Report and Recommendation issued by United States Magistrate Judge Robert E. Bacharach on October 30, 2007 (doc. no. 8) is **ACCEPTED, ADOPTED, and AFFIRMED.**

IT IS ALSO ORDERED that petitioner, Michael Wayne Rains' Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (doc. no. 1), filed September 21, 2007, is summarily dismissed as time-barred.

DATED November 9, 2007.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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